**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL WRIT PETITION NO. 395 OF 2005**

Rajendra Namdev Somase ..Petitioner.

V/s.

The State of Maharashtra & Anr. ..Respondents.

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Mrs. Sulbha A. Dhamale for the Petitioner.
Shri B. H. Mehta, APP for Respondent No.1 -State.

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**CORAM : A.M.KHANWILKAR, J.**
**DATED : FEBRUARY 16, 2005**

**PC :-**

. Heard counsel for the parties.

2. The request for parole made by the petitioner has been rejected on the ground that the petitioner had already availed the leave of parole in May, 2004 and will be entitled to apply for parole only after 27th May, 2005. This view has been taken, relying on Rule 19 of the Furlough, Parole and Prisoners Rules, which are statutory rules. The rule 19, as amended provides that such request can be considered within one year only in case of death. There is no other exception provided by the statutory rules. It is well settled that parole is not a matter of right. In the

present case, however, the petitioner is claiming parole on the ground of his own illness, his mother's illness and also for his brother's marriage. If this is so, no fault can be found with the approach of the authority in rejecting the subject application preferred by the petitioner. Hence, no interference is warranted. Dismissed.

3. Ordered accordingly.

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